

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

KERN HIGH SCHOOL DISTRICT.

OAH CASE NO. 2013010940

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On January 29, 2013, Student's parent on behalf of Student (Student) filed a due process hearing request (complaint), naming Kern High School District (District). On March 25, 2013, Student filed an amended complaint.¹ No opposition to that amendment has been filed by the District.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).) The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

The motion to amend is timely and is granted. The amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

Dated: March 27, 2013

/s/

SUSAN RUFF
Administrative Law Judge
Office of Administrative Hearings

¹ Student did not file a motion seeking leave to amend the complaint, but Student's filing of the amended complaint will be treated as such a motion.